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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 UNITED STATES OF AMERICA,)	No. CR.-06-0542-MHP
)	
14 Plaintiff,)	
)	
15 vs.)	
)	
16 DAVID SIMCHO,)	[STIPULATION AND
)	[PROPOSED] PROTECTIVE
)	ORDER
17 _____ Defendant. _____)	
18 _____)	

19 STIPULATION

20 The United States and the defendant in this action, through undersigned counsel, hereby
21 stipulate and agree as follows:

22 1. The United States has produced to defendant's counsel of record in this matter
23 discovery containing sensitive tax, personal and/or financial information of third parties, subject
24 to the following conditions.

25 2. Defense counsel shall not disclose any documents or information produced by the
26 United States to anyone except her client, any defense witnesses, experts or investigators retained
27 in this case, or any defense staff working on the case. Moreover, defendant, defense witnesses,
28 experts or investigators, or defense staff shall not disclose such documents or information to

1 anyone, absent further order of the Court.

2 3. The documents and information described in paragraph 1 shall be used only to
3 prepare and evaluate the defense in this proceeding. Any person to whom the documents or
4 information are disclosed must be provided with a copy of this Stipulation and Order. The
5 materials provided to defense counsel pursuant to this order, and any copies thereof, shall be
6 returned to the government at the conclusion of this case.

7 4. The documents described above shall not be copied at all unless copying is
8 necessary for preparation of the defense in this proceeding. Any copy of the materials that is
9 made shall be accompanied at all times by a copy of this Stipulation and Order. No document or
10 copy thereof shall be left with any defense witness.

11 DATED: 2/7/08 _____ /s/ Cynthia Stier
12 CYNTHIA STIER
13 Assistant United States Attorney

14 DATED: 2/7/08 _____ /s/ Elizabeth Falk
15 ELIZABETH FALK
16 Counsel for David Simcho

17 ORDER

18 In light of the stipulation and agreement of the parties to this action, and good cause
19 appearing therefor, it is HEREBY ORDERED that disclosure of the above-described information
20 shall be restricted as set forth in Paragraphs 1 through 4 above.

21
22 DATED: 2/11/2008

